I herebyceltify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as, First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 18, 2004 Signature:

ITW

Docket No.: 01017/37428A

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Paszty et al.

Application No.: 10/679,670

Art Unit: 1637

Filed: October 6, 2003

Examiner: Not Yet Assigned

For: CYSTINE-KNOT POLYPEPTIDES:

CLOAKED-2 MOLECULES AND USES

THEREOF

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Attached herewith are copies of Forms PTO-1449 and PTO-892 that were submitted by the Applicants and the Examiner in parent application, U.S. Patent Application No. 09/867,274, which was filed May 29, 2001. These copies are hereby submitted by the Applicants for consideration in connection with the above-identified patent application in compliance with 37 C.F.R. §1.97 and the duty of disclosure under 37 C.F.R. §1.56.

The present application is a divisional of the aforementioned application, which is relied on for an earlier effective filing date under 35 U.S.C. §120. Thus, in accordance with 37 C.F.R. §1.98(d)(1), copies of the references cited on Forms PTO-1449 and PTO-892 are not attached herewith. However, should the Examiner require copies of one or more of the references cited in the prior application, the Applicants will furnish the documents upon request.

Application No.: 10/679,670 Docket No.: 01017/37428A

This information disclosure statement is not intended to be an admission that a search has been made, that other relevant art does not exist, or that any of the information disclosed herein constitutes prior art under 35 U.S.C. §102 or 35 U.S.C. §103.

This statement and Forms PTO-1449 and PTO-892 are being submitted before receipt of a first Office Action in the above-identified patent application. Accordingly, it is submitted that no fee is due in this matter under 37 C.F.R. §1.97(b). However, if it is determined that any appropriate fee is due, please charge Deposit Account Number 13-2855. A duplicate of this paper is enclosed.

Dated: June 18, 2004

Respectfully submitted,

Lynn L. Janulis, Ph.D.

Registration No.: 53,066

MARSHALL, GERSTEIN & BORUN LLP

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Agent for Applicants

Notice of References Cited Application/Control No. 09/867,274 Examiner Scott D. Priebe, Ph.D. Applicant(s)/Patent Under Reexam Paszty et al. Art Unit 1632 Page 1 of 1

4.		<u> </u>		U.S. PATENT DOCUMENTS
		Document Tumber County Gode Number-Kind Code	Date MM-YYYY	Name Classification ²
	A	6,395,511 B1	5/2002	Brunkow et al. 435 69.1
	В			
	С			
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_	NON-PATENT DOCUMENTS								
		Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages							
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^{*} A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

¹ Dates in MM-YYYY format are publication dates.

² Classifications may be U.S. or foreign.

Form PTO-1449 (Modified)

U.S. Department of Commerce Patent and Trademark Office

DESCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Docket No. 01017/37428

Serial No.

09/867,274

Applicant

Paszty et al.

Filing Date 5-29-01

Group 3673

	U.S. PATENT DOCUMENTS								
*Examiner Initials		Document Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate		
	A1	5,780,263	07/14/98	Hastings et al.	435	69.1	06/06/95		
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		F	OREIGN PAT	TENT DOCUM	MENTS			
							Translation	
*Examiner Initials		Document Number	Publication Date	Country	Class	Subclass	Yes	No
	B1	WO 99/06554	02/11/99	PCT		<u> </u>	. ,	
	B2	EP 1033401	09/06/00	EPO				
_	В3	WO 01/92308	12/06/01	PCT				
	B4	WO 96/39486	12/12/96	PCT				
	B5	WO 00/55193	09/21/00	PCT				
	В6	WO 00/32773	06/08/00	PCT		·		
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EXAMINER	DATE CONSIDERED	•
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (Modified)

U.S. Department of Commerce Patent and Trademark Office Atty. Docket No. 01017/37428

Serial No. 09/867,274

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Paszty et al.

Filing Date 5-29-01

Group 3673

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)				
	C1	Isaacs, "Cystine knots", Curr Opin Struct Biol 5:391-395, 1995.				
	C2	Balemans et al., "Increased bone density in sclerosteosis is due to the deficiency of a novel secreted protein (SOST)", Hum Molecul Genet 10:537-543, 2001.				
Brunkow et al., "Bone dysplasia sclerosteosis results from loss of the SO product, a novel cystine knot-containing protein", Am J Hum Genet 68:57 2001.						
	C4	International Search Report (International Application No. PCT/US01/17478).				
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